

1 THE HONORABLE ROBERT J. BRYAN  
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10 UNITED STATES DISTRICT COURT  
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WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

BOSSCO TRADING, LLC, an Oregon  
corporation,

Plaintiff,

v.

CORNEL TRADING (CANADA) CORP., a  
Canada corporation; MAERSK LINE, a  
Denmark corporation; COSCO CONTAINER  
LINES AMERICAS, INC., a Delaware  
corporation; and COSCO Container Lines, a  
Chinese corporation,

Defendants.

No.: CV06-5648 RJB

TEMPORARY RESTRAINING ORDER

This matter was considered by the Court on Plaintiff's Motion for Temporary  
Restraining Order. The Court having reviewed the pleadings and being otherwise fully  
advised, finds as follows:

1. There is a strong likelihood that Plaintiff will prevail on the merits of some or  
all of its claims against Defendants.

2. Plaintiff will suffer immediate and irreparable harm if Defendant Cornel  
Trading (Canada) Corp. is not restrained from taking possession of goods shipped to Japan  
under Booking Numbers 87691000, 87690990, 87690980, and 87692470, which includes 4

TEMPORARY RESTRAINING ORDER:  
No.: CV06-5648 RJB

Page 1

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1 containers that were shipped on the vessels HANJIN OSLO and COSCO ANTWERP,  
2 arrived in Japan on November 8 or 9, 2006, and are presently being held at the terminal in  
3 Nagoya, Japan and 10 containers that are scheduled to arrive in Japan aboard the COSCO  
4 XIAMEN.

5 3. Plaintiff will suffer immediate and irreparable harm if Defendants COSCO  
6 Container Lines Americas, Inc. (“CCLA”) and COSCO Container Lines (“CCL”) are not  
7 restrained from releasing the 4 containers, which were shipped on the vessels HANJIN  
8 OSLO and COSCO ANTWERP and arrived in Japan on November 8 or 9, 2006, presently  
9 being held at the terminal in Nagoya, Japan.

10 4. Plaintiff will suffer immediate and irreparable harm if Defendants COSCO  
11 Container Lines Americas, Inc. (“CCLA”) and COSCO Container Lines (“CCL”) are not  
12 restrained from releasing the 10 containers subject to this action that are being shipped on the  
13 vessel COSCO XIAMEN, which is scheduled to arrive in Japan on or about December 4,  
14 2006.

15 5. The harm will be the loss of value for product it sold to Defendant Cornel and  
16 for which Defendant Cornel did not pay.

17 6. The balance of hardships favors Plaintiff.

18 Based on the foregoing findings, it is hereby ORDERED:

19 1. Plaintiff’s Motion for Temporary Restraining Order is GRANTED to the  
20 extent set forth below.

21 2. Defendant Cornel Trading (Canada) Corp. is restrained from taking possession  
22 of goods shipped to Japan under Booking Numbers 87691000, 87690990, 87690980, and  
23 87692470.

24 3. Defendants COSCO Container Lines Americas, Inc. and COSCO Container  
25 Lines are restrained from releasing the 4 containers subject to this action, which were  
26 delivered to Nagoya, Japan and are being held at the terminal in Nagoya, Japan, unless

TEMPORARY RESTRAINING ORDER:  
No.: CV06-5648 RJB

Page 2

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1 presented with a valid bill of lading. Defendants CCLA and CCL may release said containers  
2 if presented with valid bills of lading.

3 4. Defendants COSCO Container Lines Americas, Inc. and COSCO Container  
4 Lines are restrained from releasing the 10 containers subject to this action that are aboard the  
5 COSCO XIAMEN and expected to arrive in Japan on or about December 4, 2006, unless  
6 presented with a valid bill of lading. Defendants CCLA and CCL may release said containers  
7 if presented with valid bills of lading.

8       5. Defendants are ordered to show cause why a preliminary injunction should not  
9 be granted.

10 6. BOSSCO Trading, LLC shall pay security in the amount of \$55,000.00

11 7. A hearing for a preliminary injunction will be held on November 27, 2006.

12 | This Order shall remain in effect until that time.

13|| DONE IN OPEN COURT this 16<sup>th</sup> day of November, 2006 at 9:30 a.m.

  
Robert J. Bryan  
United States District Judge

18 | Presented by:

19 BULLIVANT Houser Bailey, P.C.

21 By s/ J. Dino Vasquez, WSBA #25533  
22 Toni Y. Anders, WSBA #31238  
Attorneys for Plaintiff BOSSCO Trading, LLC

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TEMPORARY RESTRAINING ORDER:  
No.: CV06-5648 RJB